

ORIGINAL

FILED IN OPEN COURT
U.S.D.C. - Atlanta
AUG 13 2018
JAMES N. HATTEM, Clerk
By: *James N. Hattem*
Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

HUBERT NATHANS

Criminal Information

No. 1:18-CR-314

THE UNITED STATES ATTORNEY CHARGES THAT:

Beginning on a date unknown, but at least as of on or about September 2017, and continuing thereafter up to and including February 15, 2018, in the Northern District of Georgia, the defendant,

HUBERT NATHANS

did knowingly and willfully combine, conspire, confederate, agree, and have a tacit understanding with E.C. and other persons, known and unknown to violate Title 21, United States Code, Section 841(a)(1), that is, to knowingly and intentionally distribute and possess with the intent to distribute a controlled substance, said conspiracy involving a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and serious bodily injury and death resulted from the use of the fentanyl by T.C. on October 4, 2017, and serious bodily injury resulted from the use of the fentanyl by E.M. on January 8, 2018, pursuant to Title 21, United States Code, Section 841(b)(1)(C), all in violation of Title 21, United States Code, Section 846.

Forfeiture

Upon conviction of the offense alleged in this Criminal Information, the defendant, HUBERT NATHANS, shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853(a), all property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violations and all property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violations, including, but not limited to, the following:

- a. **MONEY JUDGMENT:** A sum of money in United States currency equal to the amount of proceeds the defendant obtained as a result of the offenses for which the defendant is convicted.

If, as a result of any act or omission of the defendant, any property subject to forfeiture:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

the United States intends, pursuant to Title 21, United States Code, Section 853(p) as incorporated by Title 28, United States Code, 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property or seek a money judgment against said defendant for any amount that would constitute the proceeds of such violation.

BYUNG J. PAK
United States Attorney



NICHOLAS HARTIGAN
Assistant United States Attorney
Georgia Bar No. 408147

600 U.S. Courthouse
75 Ted Turner Drive SW
Atlanta, GA 30303
404-581-6000; Fax: 404-581-6181